

258. Any money in the hands of the county commissioners of either of said counties, at the end of any year from the levy thereof, over and above the amount required for the carrying out the provisions of this act, shall be by the said county commissioners of the county wherein the said surplus may exist, paid over to the board of county school commissioners for said county, to be by them applied to the purposes of education; *provided*, the said fund shall never thereby be decreased Ibid. s. 7. Disposition of surplus fund. Proviso. below the minimum of five hundred dollars.

259. Any dog kept or straying about any house shall be deemed sufficient evidence of ownership, to authorize the constable to return the person inhabiting said house as the owner or keeper thereof, and every dog not returned shall be deemed to have no owner or keeper, and it shall be the duty of the constable to kill said dog, for which he shall receive a fee, as provided for in section four of this act. Ibid. s. 8. Ownership defined.

260. If any dog shall be seen running sheep, any person may kill him, or if any dog shall be known to worry sheep, and information thereof be given to the owner or keeper thereof, if he does not kill said dog, he shall make full compensation for all damages done by it, and any person seeing the dog running at large may kill him. Ibid. s. 9. Dog worrying sheep may be killed.

261. The bonds now required by law to be given by constables, shall be liable for all moneys collected by them under this act, and not paid over, as aforesaid, to be collected in the name of the county commissioners of the county wherein said default may exist, by suit or warrant, as the case may be, and the justice of the peace and appraisers hereinbefore provided for, shall be entitled to the same compensation as now provided by law for similar services in other cases; *provided*, that the tax herein mentioned shall not be construed to apply to incorporated towns wherein a similar tax is imposed. Ibid. s. 10. Bond of constable liable. Compensation of appraisers, &c. Proviso.

262. If any person shall feloniously steal, take or carry away any dog, the property of another, in either of the aforesaid counties of this state, he shall be liable to presentment and indictment by the grand jury of Ibid. s. 11. Dog stealing a felony.